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By ECF Only

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[▲] ALSO ADMITTED NJ

The Court grants the request for an adjournment.

Plaintiff is to provide an updated

status report on February 1, 2016. So Ordered.

December 15, 2015

Honorable Paul A. Crotty
United States District Court Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

RE: *Douglas M. Sternberg, DDS v. NYC Health and Hospitals Corporation*, 14 Civ. 1003 (PAC)

Dear Judge Crotty:

This firm represents Plaintiff Douglas M. Sternberg in the above-captioned matter and I write to seek an adjournment of the trial currently scheduled for February 16, 2016.

On November 16, 2015, this Court granted Plaintiff's request to file a motion for summary judgment on liability, which he did on December 9, 2015. Defendant is scheduled to file its opposition on January 4, 2016 and Plaintiff will file his reply on January 11, 2016.

Unfortunately, Plaintiff has contracted West Nile virus and has been in and out of the intensive care unit of the hospital for the past two weeks. I have been advised that he is not likely to be sufficiently recovered by mid-February to attend a trial of this matter on February 16, 2016. I am unable at this time to predict when Dr. Sternberg will be able to appear in court for trial.

Accordingly, I respectfully ask the Court to adjourn the currently-set pre-trial order and motion *in limine* submission dates, as well as the trial date, to a control date in April or May of 2016.

Respectfully submitted,



Bruce E. Menken

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cc: Yuval Rubinstein, Esq.

(By ECF Only)